STATE OF OHIO
ADJUTANT GENERAL'S DEPARTMENT
2825 West Dublin Granville Road
Columbus, Ohio 43235-2789

NGOH-HRO-Z 19 October 2015

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Ohio National Guard Political Activities Policy

1. Adjutant General's Department employees, regardless of their employment status, are public servants and must take appropriate precautions regarding their political activities. Employees engaging in prohibited activities are subject to discipline in accordance with the rules and regulations of the appropriate employment system.

2. State employees. State employees must be mindful of the Governor's Political Activity Policy (enclosure 1). Classified and unclassified employees must not engage in election-related activity on state time, on state property, and/or while using state equipment. Nor may government funds be used for lobbying. State employees may not engage in any election-related activities that interfere with or pose a conflict of interest with their state duties and responsibilities. Further details may be found in the Ohio National Guard (ONG) Political Activities Reference Guide (enclosure 2).

3. Full-time National Guard Duty (FTNGD) personnel. (**FTNGD includes AGR duty and all other FTNGD categories: e.g. FTNGD-OS, FTNGD-OT, FTNGD-CD, etc.**). FTNGD personnel are reminded that—because they are in an active service status—they are subject to the full range of prohibitions on partisan political activity found in Department of Defense Directive (DoDD) 1344.10, Political Activities by Members of the Armed Forces. The military is subject to civilian control and, therefore, has a long-standing tradition of remaining politically neutral and exerting no influence on the political process. Consequently, all FTNGD personnel should familiarize themselves with the aforementioned DoDD and the ONG Political Activities Reference Guide and adhere to the applicable guidelines within those publications.

4. Technician employees. Technician employees must be aware that they are subject to restrictions on political activity found in the Hatch Act Amendments, 5 USC 7321 through 7326, as well as TPR 700/733.9. Ohio National Guard Technicians must also conform their conduct to the standards set forth in 5 CFR Parts 733 and 734, "Political Activities of Federal Employees." Technicians are expected to perform their official duties lawfully and to comply with the highest ethical standards. In addition to the aforementioned references, further details and guidance may be found in the ONG Political Activities Reference Guide.

5. Traditional Guard (MDAY) personnel. Restrictions on the political activities of Traditional National Guard members are limited to those set forth in paragraphs 4.1.4 and 4.3 of DoDD 1344.10, Political Activities by Members of the Armed Forces. All Traditional Guard personnel should familiarize themselves with this DoDD and the ONG Political Activities Reference Guide and adhere to the applicable guidelines within those publications.

6. Violations, involving prohibited political activities, must immediately be reported to the appropriate supervisory officials. Supervisors should contact the Human Resources Directorate, at (614) 336-7051, for guidance pertaining to the imposition of discipline regarding these matters. Additionally, the point of contact for the above guidelines, is MAJ Joseph Schwade, State Ethics Advisor, at (614) 336-7263, DSN 346-7263, or joseph.a.schwade.mil@mail.mil.

FOR THE ADJUTANT GENERAL:

2 Encls
1. Governor's Policy Memo
2. ONG Political Activities Ref Guide

JAMES R. CAMP
Col, OHANG
Director of Human Resources

To: **All Appointing Authorities**
Chief Legal Counsel
HR Administrators
Governor's Senior Staff

From: **Kent Markus, Chief Legal Counsel** KM

Date: **February 16, 2010**

Re: **Political Activity Policy (Update.2)**

The election season has once again prompted inquiries about political activity by state employees, so we thought this would be a good time to provide an updated set of administration policies on that topic. This memo provides guidance for state employees who want to participate in political and other election-related activities, make campaign contributions, or run for elected office. It also provides guidelines regarding appropriate employee activities concerning ballot issues.

1. Election-related activities. Different laws and rules apply to the permissibility of various election-related activities of classified versus unclassified state employees. As explained more fully below, so as to avoid any suggestion that governmental resources are being improperly used to assist candidates for public office, both classified and unclassified employees must avoid engaging in election-related activity on state time, on state property, or using state equipment (including conference rooms, computers, printers, office supplies, e-mail systems, telephone, copiers, fax machines, vehicles, or any other state property or equipment). In addition, state employees may not engage in any election-related activities which interfere with, or pose a conflict of interest with respect to, their state duties and responsibilities.

2. Classified employees are prohibited by law from engaging in certain election-related activities. Persons in active pay status serving in the competitive classified civil service are significantly limited, by law, in their ability to engage in various partisan political activities at any time, particularly elections involving candidates selected by the various political parties. Examples of both permissible and impermissible activities by classified employees are detailed below.

    2.1. Permissible election-related activities for classified employees. On their own time, classified employees may, by law, play only a relatively limited role in partisan campaign activities and may be somewhat more involved in non-partisan election-related activity. The following are examples of activities employees in the classified service may participate in **on their own time**:

    - Registration and voting;
    - Making voluntary contributions to political candidates or organizations;
    - Attending political rallies;

- Wearing political buttons or badges.
- Signing nominating petitions in support of individuals;
- Expressing, to other individuals, opinions orally or in writing;
- Displaying political materials at home or on their own personal vehicle;
- Circulating non-partisan petitions or petitions relating to issues;
- Running for office for which the candidates are not selected by political parties; and
- Serving as an official election judge (poll worker) in accordance with the applicable poll worker leave policy. (See Section 8 of this memo for more information).

2.2. Prohibited election-related activities for classified employees. The following are examples of activities in which employees in the classified service may not, by law, participate, **even on their own time**:

- Candidacy for public office in a partisan election (i.e. – an election in which candidates are selected by political parties);
- Candidacy for public office in a nonpartisan general election if the nomination to candidacy was obtained in a partisan primary or through the circulation of nominating petitions identified with a political party;
- Filing of petitions meeting statutory requirements for partisan candidacy to elective office;
- Circulation of official nominating petitions for any candidate participating in a partisan election;
- Service in an elected or appointed office in any partisan political organization;
- Acceptance of a political party-sponsored appointment to any office normally filled by partisan election;
- Campaigning by writing for publications, by distributing political material, or by writing or making speeches on behalf of a candidate for partisan elective office, when such activities are directed toward party success;
- Solicitation, either directly or indirectly, of any assessment, contribution or subscription, either monetary or in-kind, for any political party or political candidate;
- Solicitation of the sale, or actual sale, of political party tickets;
- Partisan activities at the election polls, such as solicitation of votes for other than nonpartisan candidates and nonpartisan issues;
- Providing assistance to any political candidate, political party or other partisan political organization with organizational and recruitment activities, when such activities are directed toward party success;
- Service as witness or challenger for any party or partisan committee;
- Participation in political caucuses of a partisan nature; and
- Participation in a political action committee which supports partisan activity.

2.3. Disciplinary Action. The director of an agency may institute an investigation when there is reason to believe a classified employee has engaged in prohibited election-related and/or partisan activity. Such actions, if proven, may amount to a violation of Ohio law and could result in discipline of the employee up to and including removal.

3. Unclassified employees may, on their own time, engage in election-related and partisan activities. Employees in the unclassified service, who serve at the pleasure of the appointing authority and are

not subject to competitive examination, may, on their own time, engage in partisan and election-related activities, unless otherwise specifically precluded by federal or state law. Unclassified employees may not solicit classified state employees for the financial benefit of a political party or a candidate for public office.

4. Use of state time, property and equipment. Even when state employees may participate in election-related activities, they may not, in general, engage in those activities while on state time, on state property, or using state equipment. Further guidance is provided below:

   4.1. Ideally, if a state employee chooses to participate in election-related activities, those activities should be conducted on the weekends or outside normal work hours to eliminate any chance of an inadvertent violation of the law, or even the appearance of impropriety. However, a state employee may engage in permissible political activity during normal work hours if the employee uses a lunch hour, personal leave, compensatory time, or vacation leave for that purpose.

   4.2. State employees who choose to participate in permissible election-related activities should, in general, do so only using a personal phone, computer or other communications device.

   4.3. In order to maximize compliance with limitations against using state time, property and/or equipment for political purposes, employees should take the following precautions:

      4.3.1. Direct incoming election-related telephone calls away from state government offices.

      4.3.2. Accurately and carefully document the use of the lunch hour, personal leave, compensatory time, or vacation leave when used for any permissible election-related activities. This includes ensuring that all proper approvals have been obtained.

      4.3.3. Interpret the terms "property" and "equipment" broadly to include state offices, conference rooms, computers, printers, office supplies, email systems, telephones, copiers, fax machines, vehicles, or any similar place or item.

      4.3.4. Take steps to avoid even the inference of the endorsement of a candidate or issue by the State of Ohio or an agency of the state by exercising caution when displaying a political pin, badge or other political paraphernalia at work.

         4.3.4.1. It is best if state employees – classified or unclassified -- do not wear political pins, badges, clothing or other political paraphernalia to work, especially at any time they are interacting with members of the public or other state employees.

         4.3.4.2. While the display of a pin, sign or other political paraphernalia at a desk or in an office/cubicle is permissible when it is an employee's dedicated personal workspace, to the extent that an employee's workspace has exposure to others, and especially exposure to members of the public, the display of political paraphernalia is strongly discouraged.

4.3.4.3. When determining the appropriateness of any display of political paraphernalia, supervisors should determine if the display has crossed, or would give others the impression of crossing, the line from personal expression to advocacy and/or could give members of the public the impression that the State of Ohio or any of its agencies are supporting a particular candidate for public office.

4.4. There are certain very limited, exceptional circumstances where it is permissible for a state employee to engage in communications regarding election activity during the course of the standard business day.

4.4.1. Such communication may be permissible if, because of the nature of an employee's position and/or the nature of a matter being handled by the employee, it is not practically feasible to separate the employee's state-related work from such communication. Such communications should be highly limited in time and scope, keeping in mind the principle that such communications are permissible only to the extent they are necessary to avoid the inefficiencies in the operation of state government that would flow from a more stark separation of governmental and election-related communications.

4.4.2. State employees should always inform third parties that it is best if they are not contacted on state time and on state equipment about political matters. Moreover, it is always best to refer political inquiries to appropriate non-state employees for comment, such as a campaign office or campaign volunteer. If the employee wishes to receive further contact on the matter, he or she should provide a personal phone number and/or email address.

4.5. Avoid even the suggestion of impropriety by considering the appearance of any conduct given the surrounding circumstances, even if that conduct is permissible under the law.

5. Solicitation by or acceptance of political contributions by elected officers

5.1. No **current** state elected officer, campaign committee of such an officer, employee of the state elected officer's office, or any other person or entity shall solicit or accept a contribution, from any of the following:

5.1.1. A state employee whose appointing authority is the state elected officer;

5.1.2. A state employee whose appointing authority is authorized or required by law to be appointed by the state elected officer;

5.1.3. A state employee who functions in or is employed in or by the same public agency, department, division, or office as the state elected officer.

5.1.4. Of particular importance is that fact that this section of the law restricts employees who work in a cabinet agency from making any contributions to the Strickland

Committee. This limitation does not in any way prohibit those same employees from making campaign contributions to other statewide or legislative candidates.

5.2. No **candidate** for a state elective office, campaign committee of such a candidate, employee of the candidate's office if the candidate is a state elected officer, or any other person or entity shall solicit or accept a contribution to a candidate for a state elective office or to such a candidate's campaign committee, from any of the following:

5.2.1. A state employee at the time of the solicitation, whose appointing authority will be the candidate, if elected;

5.2.2. A state employee at the time of the solicitation, whose appointing authority will be appointed by the candidate, if elected, as authorized or required by law;

5.2.3. A state employee at the time of the solicitation, who will function in or be employed in or by the same public agency, department, division, or office as the candidate, if elected.

6. Running for elected office

6.1. Classified employees. As noted above, classified state employees, by law, may not be a candidate in a partisan election or a candidate in a non-partisan election if their nomination was obtained in a partisan primary or through the circulation of nominating petitions identified with a political party.

6.2. State employee candidacy guideline. State employees who choose to run for office and who are otherwise permitted to do so under Ohio law, must also abide by the following guidelines:

6.2.1. Conflicts. Avoiding any appearance of impropriety is a critical aspect of maintaining public confidence in public employees. When state employees run for public office, there is inherent risk that the public will confuse their state duties and responsibilities with policy positions they may take as candidates. Accordingly, conflicts of interest and appearances of conflicts of interest must be avoided in the following ways:

6.2.1.1. Because the General Assembly determines the budgets and policy direction of the agencies, boards, commissions, and other entities at which state employees work, no state employee may be a candidate for the General Assembly. State employees must leave state service prior to taking any official action in support of a candidacy (e.g. – creating a candidate committee, soliciting campaign contributions, etc.) for the General Assembly.

6.2.1.2. Candidacies for other significant elected positions (e.g. – mayor or council member of a major metropolitan area, an office with county-wide jurisdiction, etc.) also pose the kinds of risks noted above. To avoid such risks, state employees may be required to leave state service prior to taking

any official action in support of such a candidacy. State employees who are otherwise permitted to do so may run for local school boards, city councils in smaller jurisdictions, and other similar positions as long as no substantial conflict exists, as determined by the employee's appointing authority, between the employee's state duties and the proposed candidacy. The person at an employee's agency, board or commission responsible for guarding against conflicts of interest should be consulted prior to any employee embarking upon any formal candidate related activity. Failure to engage in such a consultation could result in the removal of an employee who has already undertaken candidate activity.

6.2.1.3. Nothing in this section is intended to impact the activity of state officers, as opposed to state employees.

6.2.2. If a state employee runs for an office with duties which conflict with the employee's governmental duties, the employee may be informed that assuming that office, if elected, will necessitate termination of state employment. In some circumstances, activities undertaken as a candidate may, themselves, pose a conflict with an employee's current job duties and appropriate steps should be taken to avoid such conflicts.

6.2.3. Notice Requirement. Prior to initiating any formal actions to run for an elected office, a state employee must provide notice of his or her intent to run to the agency's chief legal counsel or to the person responsible for legal compliance. This notice allows agency legal counsel to:

6.2.3.1. Consult with the agency's appointing authority to determine whether an apparent or potential conflict of interest exists between the employee's job duties and the duties of the elected office or any activities likely to take place during the employee's candidacy;

6.2.3.2. Ascertain whether the employee is required to leave state service prior to taking any official action in support of such a candidacy, is seeking (or should seek) a leave of absence to accommodate campaign activity and whether such a leave is operationally feasible for the agency (see discussion below); and

6.2.3.3. Provide and discuss with the employee the attached document entitled "Political Activity Restrictions" to help assure that the employee does not violate this policy.

6.2.4. Instances requiring notice include:

6.2.4.1. Classified and/or unclassified employees running for non-partisan elected office, such as school board member, township trustee, or city council member.

6.2.4.2. Unclassified employees running for political party leadership positions, such as local or state central committee positions.

6.2.4.3. Unclassified employees running for full-time partisan office.

6.2.5. Leaves of Absence. Because campaigns for certain elected offices can be extremely time-consuming, some employees may wish to request unpaid leaves of absence from their state jobs when running for elected office.

6.2.5.1. When such requests are made, agency legal counsel should consult with agency leaders to determine if such a request is reasonable and if so, the period for which such a leave should be granted, considering the employee's position and how the leave of absence would impact the operations of an agency.

6.2.5.2. If it is decided that such a leave should be granted, legal counsel and the agency director may recommend a specific time period for the employee to take a leave of absence if, in their view, the particular election campaign is likely to adversely affect the employee's ability to fulfill his or her job responsibilities, but the agency can work around the employee's leave of absence.

7. Use of Vacation and Other Leave for Campaign Activity. A state employee wishing to take time off from work to assist in permissible campaign activity may do so if the employee has obtained standard permission to be absent from work. Because an employee may use vacation or other similar leave for any purpose, such an employee may engage in any permissible campaign activity while on any such approved leave. An employee wishing to take an extended leave to work on a campaign may request unpaid leave, up to six months. Unpaid leave may be granted by the employee's appointing authority and will be denied if such leave would pose operational problems to the agency.

8. Ballot issues

8.1. State employees may, without violating this policy, use state time and equipment to provide information relating to ballot issues that may affect the State and its departments.

8.2. While state employees should, in general, avoid the use of state time, equipment, or supplies to support or oppose a ballot issue, in limited circumstances it is appropriate for state employees to publicly indicate their support for or opposition to ballot issues which directly impact their state duties or responsibilities.

8.2.1. The Governor, Lt. Governor, Cabinet Members and other senior state officials are often asked to respond to questions concerning a ballot measure or asked to speak in support of, or in opposition to, a ballot measure at a public gathering or other event. These officials are well-qualified to comment on the impact any ballot initiative may have on the state or an agency's operations. This situation is similar to a cabinet member or administration official testifying before the Ohio General Assembly in support of or in opposition to a legislative measure. It is reasonable

and appropriate for these state officials to advance the administration's publicly-advocated and announced policy in support of, or in opposition to, a legislative proposal impacting their official state duties. It is likewise reasonable and appropriate for administration officials to take the same approach when advocating the administration's position relative to a ballot issue.

8.2.2. Determination of when it is appropriate for a state employee to articulate an administration or agency position regarding a ballot issue resides in the discretion of the agency director.

8.3. Other permissible employee conduct. Concerning issues relevant to state responsibilities, employees may:

8.3.1. Disseminate, either verbally or in writing, objective information concerning the issue and its impact, particularly as it may relate to a specific department. The public may direct questions to affected departments and, as a result, those departments may need to prepare and disseminate objective information sheets about the issue in order to prepare their employees to answer questions;

8.3.2. Correct or clarify factual errors or misinformation concerning an issue.

8.4. Impermissible employee conduct. State employees may not use state resources to:

8.4.1. Engage in activities unrelated to their job duties or the responsibilities of state government; or

8.4.2. Develop, produce and /or disseminate campaign materials regarding a ballot issue.

9. Poll worker service. Classified or unclassified state employees who wish to work on Election Day as a poll worker (also known as an election judge) may do so in accordance with the Poll Worker Leave policies of their respective agencies. For those agencies which have not adopted such a policy, employees may use approved vacation, compensatory, or personal leave to work at the polls. For more information on this subject, please visit the DAS Human Resources Division, Policy Development website at http://ohio.gov/hrpolicy.

10. When in doubt, ask! Employees with questions regarding the propriety of a particular activity should address them to their agency chief legal counsel or the person at their agency or board or commission responsible for legal compliance.

Enclosure 1

Political Activity Restrictions

The following is a short summary of the political restrictions related to running for office as a State of Ohio employee:

- Employees in the classified service may run for non-partisan offices but may not run for partisan political office. The classified service is defined as all "persons in active pay status serving in the competitive classified civil service of the state."

- Partisan political offices are those in which candidates are selected in a partisan primary or by nominating petitions identified with a political party or in which candidates are associated on the ballot with a political party.

- **Only an employee in the unclassified service may run for partisan political office.**

Those running for office must abide by these restrictions (see very limited exceptions in Section 4.4 of the Political Activity Policy):

- All state employees who intend to run for office must provide notice as provided in the Political Activity Policy so as to assure compliance with its provisions

- State employees may not participate in political activities while on State time, property or while using State equipment.

- Unclassified employees may not solicit classified state employees for the financial benefit of a political party or a candidate for public office.

- It may be necessary to request a leave of absence to run for political office. Agency Directors have discretion to decide if a request for leave is reasonable or if it should be granted.

- State equipment and time may not be used for campaigning.

  - All political telephone calls must be directed away from state offices.

  - If an employee receives an e-mail or phone call related to political activity, the employee has an affirmative obligation to respond that he or she should not be contacted on state time and on state equipment. If the employee wishes to receive further contact on the matter, he or she should provide a personal phone number and/or email address.

  - State employees may not use state offices, conference rooms, computers, printers, office supplies, e-mail systems, telephone, copiers, fax machines, vehicles, or any other state property or equipment to engage in election-related activities.

- When in doubt, consult your agency legal counsel.

Enclosure 1

Ohio National Guard

Political Activities Reference Guide

FY16

1. Ask yourself, "What guidance applies to me?"

EMPLOYMENT STATUS	GOVERNING GUIDANCE	Page(s)
FTNGD (*AGR & all other FTNGD categories*) Titles 10 & 32	DoDD 1344.10	1-3
Federal Technicians *(Dual & Non-Dual Status)*	Hatch Act TPR 700/733.9 5 CFR Parts 733 and 734	4-5
Traditional Guard *(MDAY)* Members	No restrictions, except those listed under DoDD 1344.10, paras 4.1.4 and 4.3	6
Classified State Employees	Governor's Political Activity Policy O.R.C. §3517.092 O.R.C. 124.57 OAC §123:1-46-02	7-8
Unclassified State Employees	Governor's Political Activity Policy O.R.C. §3517.092 OAC §123:1-46-02	8

2. Then ask yourself, "What does that guidance mean to me?"

FTNGD (AGR & all other FTNGD categories) T10 & T32—DoDD 1344.10	
PERMISSIBLE Activities:	**PROHIBITED Activities:**
Register, vote, and express a personal opinion on political candidates and issues, but not as a representative of the Armed Forces.	Participate in partisan political fundraising activities (except as permitted), rallies, conventions (including making speeches in the course thereof), management of campaigns, or debates, either on one's own behalf or on that of another, without respect to uniform or inference or appearance of official sponsorship, approval, or endorsement. Participation includes more than mere attendance as a spectator.
Promote and encourage others to exercise their voting franchise, if such promotion does not constitute use of their official authority or influence to interfere with the outcome of any election.	Use official authority or influence to interfere with an election, affect the course or outcome of an election, solicit votes for a particular candidate or issue, or require or solicit political contributions from others.
Join a partisan or nonpartisan political club and attend its meetings when not in uniform, subject to the restrictions of subparagraph 4.1.2.4. (See DoD Instruction 1334.1 (Reference (c)).	Allow or cause to be published partisan political articles, letters, or endorsements signed or written by the member that solicits votes for or against a partisan political party, candidate, or cause. This is distinguished from a letter to the editor as permitted.

FTNGD (AGR & all other FTNGD categories) T10 & T32—DoDD 1344.10 *(Continued)*	
PERMISSIBLE Activities:	**PROHIBITED Activities:**
Serve as an election official, if such service is not as a representative of a partisan political party, does not interfere with the performance of military duties, is performed when not in uniform, and the Secretary concerned has given prior approval. The Secretary concerned may NOT delegate the authority to grant or deny such permission.	Serve in any official capacity with or be listed as a sponsor of a partisan political club.
Sign a petition for a specific legislative action or a petition to place a candidate's name on an official election ballot, if the signing does not obligate the member to engage in partisan political activity and is done as a private citizen and not as a representative of the Armed Forces.	Speak before a partisan political gathering, including any gathering that promotes a partisan political party, candidate, or cause.
Write a letter to the editor of a newspaper expressing the member's personal views on public issues or political candidates, if such action is not part of an organized letter-writing campaign or a solicitation of votes for or against a political party or partisan political cause or candidate. If the letter identifies the member as on active duty (or if the member is otherwise reasonably identifiable as a member of the Armed Forces), the letter should clearly state that the views expressed are those of the individual only and not those of the Department of Defense (or Department of Homeland Security for members of the Coast Guard).	Participate in any radio, television, or other program or group discussion as an advocate for or against a partisan political party, candidate, or cause.
Make monetary contributions to a political organization, party, or committee favoring a particular candidate or slate of candidates, subject to the limitations under section 441a of title 2, United States Code (U.S.C.) (Reference (d)); section 607 of title 18, U.S.C. (Reference (e)); and other applicable law.	Conduct a political opinion survey under the auspices of a partisan political club or group or distribute partisan political literature.
Display a political bumper sticker on the member's private vehicle.	Perform clerical or other duties for a partisan political committee or candidate during a campaign, on an election day, or after an election day during the process of closing out a campaign.
Attend partisan and nonpartisan political fundraising activities, meetings, rallies, debates, conventions, or activities as a spectator when not in uniform and when no inference or appearance of official sponsorship, approval, or endorsement can reasonably be drawn.	Solicit or otherwise engage in fundraising activities in Federal offices or facilities, including military reservations, for any political cause or candidate.
Participate fully in the Federal Voting Assistance Program.	March or ride in a partisan political parade.

FTNGD (AGR & all other FTNGD Categories) T10 & T32—DoDD 1344.10 *(Continued)*	
PERMISSIBLE Activities:	**PROHIBITED Activities:**
	Display a large political sign, banner, or poster (as distinguished from a bumper sticker) on a private vehicle.
	Display a partisan political sign, poster, banner, or similar device visible to the public at one's residence on a military installation, even if that residence is part of a privatized housing development.
	Participate in any organized effort to provide voters with transportation to the polls if the effort is organized by or associated with a partisan political party, cause, or candidate.
	Sell tickets for or otherwise actively promote partisan political dinners and similar fundraising events.
	Attend partisan political events as an official representative of the Armed Forces, except as a member of a joint Armed Forces color guard at the opening ceremonies of the national conventions of the Republican, Democratic, or other political parties recognized by the Federal Elections Committee or as otherwise authorized by the Secretary concerned.
	Make a campaign contribution to, or receive or solicit (on one's own behalf) a campaign contribution from, any other member of the Armed Forces on active duty. Any contributions not prohibited by this subparagraph remain subject to the gift provisions of sections 2635.301-2635.304 of title 5, Code of Federal Regulations (Reference (f)). See subparagraph 4.1.2.1. for general prohibitions on partisan fundraising activity.
	Commissioned officers shall not use contemptuous words as prohibited by section 888 of Reference (b) or participate in activities proscribed by DoD Directives 5200.2 and 1325.6 (References (g) and (h), respectively).

Federal Technicians (Dual & Non-Dual Status)—Hatch Act	
PERMISSIBLE Activities:	**PROHIBITED Activities:**
May be candidates for public office in nonpartisan elections.	May not use their official authority or influence to interfere with or affect the result of an election. For example: May not use their official titles or positions while engaged in political activity. May not invite subordinate employees to political events or otherwise suggest to subordinates that they attend political events or undertake any partisan political activity.
May register and vote as they choose.	May not solicit, accept or receive a donation or contribution for a partisan political party, candidate for partisan political office, or partisan political group. For example: May not host a political fundraiser. May not invite others to a political fundraiser. May not collect contributions or sell tickets to political fundraising functions.*
May assist in voter registration drives.	May not be candidates for public office in partisan political elections.
May contribute money to political campaigns, political parties, or partisan political groups.	May not knowingly solicit or discourage the participation in any political activity of anyone who has business pending before their employing office.
May attend political fundraising functions.	May not engage in political activity – i.e., activity directed at the success or failure of a political party, candidate for partisan political office, or partisan political group – while the employee is on duty, in any federal room or building, while wearing a uniform or official insignia, or using any federally owned or leased vehicle. For example: May not distribute campaign materials or items. May not display campaign materials or items. May not perform campaign related chores. May not wear or display partisan political buttons, T-shirts, signs, or other items. May not make political contributions to a partisan political party, candidate for partisan political office, or partisan political group. May not post a comment to a blog or a social media site that advocates for or against a partisan political party, candidate for partisan political office, or partisan political group. May not use any e-mail account or social media to distribute, send, or forward content that advocates for or against a partisan political party, candidate for partisan political office, or partisan political group.
May attend and be active at political rallies and meetings.	May NOT wear military uniform while engaged in political activities. See DoD 1344.10.
May join and be an active member of political clubs or parties.	
May hold office in political clubs or parties.	

Federal Technicians (Dual & Non-Dual Status)—Hatch Act *(Continued)*	
PERMISSIBLE Activities:	**PROHIBITED Activities:**
May sign and circulate nominating petitions.	
May campaign for or against referendum questions, constitutional amendments, or municipal ordinances.	
May campaign for or against candidates in partisan elections.	
May make campaign speeches for candidates in partisan elections.	
May distribute campaign literature in partisan elections.	
May volunteer to work on a partisan political campaign.	
May express opinions about candidates and issues. If the expression is political activity, however – i.e., activity directed at the success or failure of a political party, candidate for partisan political office, or partisan political group – then the expression is not permitted while the employee is on duty, in any federal room or building, while wearing a uniform or official insignia, or using any federally owned or leased vehicle.	

Traditional Guard (MDAY) Members—DoDD 1344.10, paras 4.1.4 & 4.3	
PERMISSIBLE Activities:	**PROHIBITED Activities:**
Members not in an active status may engage in any lawful political activities, provided the member is not in uniform and does not otherwise act in a manner that could reasonably give rise to the inference or appearance of official DoD or National Guard sponsorship, approval, or endorsement.	May not wear a uniform or use any Government property or facilities while participating.
Members not on active duty who are nominees or candidates for elective offices may, in their campaign literature (including Web sites, videos, television, and conventional print advertisements): ● Use or mention, or permit the use or mention of, their military rank or grade and military service affiliation; BUT they must clearly indicate their retired or reserve status. ● Include or permit the inclusion of their current or former specific military duty, title, or position, or photographs in military uniform, when displayed with other non-military biographical details. Any such military information must be accompanied by a prominent and clearly displayed disclaimer that neither the military information nor photographs imply endorsement by the Department of Defense or their particular Military Department (or the Department of Homeland Security for members of the Coast Guard); e.g., "John Doe is a member of the Army National Guard. Use of his military rank, job titles, and photographs in uniform does not imply endorsement by the Department of the Army or the Department of Defense."	Members not on active duty who are nominees or candidates for elective offices may not use or allow the use of photographs, drawings, and other similar media formats of themselves in uniform as the primary graphic representation in any campaign media, such as a billboard, brochure, flyer, Web site, or television commercial. For the purposes of this policy, "photographs" include video images, drawings, and all other similar formats of representational media.
	Members not on active duty who are nominees or candidates for elective offices may not depict or allow the depiction of themselves in uniform in a manner that does not accurately reflect their actual performance of duty. For the purpose of this policy, "photographs" include video images, drawings, and all other similar formats of representational media.

Classified State Employees—Governor's Policy, ORC, and OAC	
PERMISSIBLE Activities:	**PROHIBITED Activities:**
Registration and voting	Candidacy for public office in a partisan election;
Expression of opinions, either oral or written;	Candidacy for public office in a nonpartisan general election if the nomination to candidacy was obtained in a partisan primary or through the circulation of nominating petitions identified with a political party;
Voluntary financial contributions to political candidates or organizations;	Filing of petitions meeting statutory requirements for partisan candidacy to elective office;
Circulation of nonpartisan petitions, petitions that do not identify with any particular party, or petitions stating views on legislation;	Circulation of official nominating petitions for any candidate participating in a partisan election;
Attendance at political rallies;	Service in an elected or appointed office in any partisan political organization;
Signing nominating petitions in support of individuals;	Acceptance of a party-sponsored appointment to any office normally filled by partisan election;
Display of political materials in the employee's home or on the employee's property;	Campaigning by writing for publications, by distributing political material, or by writing or making speeches on behalf of a candidate for partisan elective office, when such activities are directed toward party success;
Wearing political badges or buttons, or the display of political stickers on private vehicles;	Solicitation, either directly or indirectly, of any assessment, contribution or subscription, either monetary or in-kind, for any political party or political candidate;
Serving as a precinct election official under section 3501.22 of the Revised Code.	Solicitation of the sale, or actual sale, of political party tickets;
Running for office for which the candidates are not selected by political parties.	Partisan activities at the election polls, such as solicitation of votes for other than nonpartisan candidates and nonpartisan issues;
	Service as a witness or challenger for any party or partisan committee;
	Participation in political caucuses of a partisan nature;
	Service in an appointed or elected position is prohibited when such position is subordinate to or in any way a check upon a position concurrently occupied by a classified or unclassified employee, or when it is physically impossible for one person to discharge the duties of both positions, or if some specific constitutional or statutory bar exists prohibiting a person from serving both positions;
	State employees are guided to avoid even the suggestion of impropriety by considering the appearance of any conduct given the surrounding circumstances, even if that conduct is permissible under the law;

Classified State Employees—Governor's Policy, ORC, and OAC *(Continued)*	
	State employees must not engage in election-related activity on state time, on state property or using state equipment. The Governor's policy prohibits elections-related use of state offices, conference rooms, computers, printers, office supplies, email systems, telephones, copiers, fax machines, vehicles, or any similar place or item. It further states that state employees should direct incoming election-related calls away from state government offices and accurately and carefully document the use of lunch hour, personal leave, compensatory time, or vacation leave when used for any permissible election related activities.

Unclassified State Employee—Governor's Policy, ORC, and OAC	
PERMISSIBLE Activities:	**PROHIBITED Activities:**
Employees in the unclassified service of the state, are not prohibited from engaging in political activity unless specifically precluded by federal or state constitutional or statutory provisions.	State employees must not engage in election-related activity on state time, on state property or using state equipment. The Governor's policy prohibits elections-related use of state offices, conference rooms, computers, printers, office supplies, email systems, telephones, copiers, fax machines, vehicles, or any similar place or item. It further states that state employees should direct incoming election-related calls away from state government offices and accurately and carefully document the use of lunch hour, personal leave, compensatory time, or vacation leave when used for any permissible election related activities.
	State employees are guided to avoid even the suggestion of impropriety by considering the appearance of any conduct given the surrounding circumstances, even if that conduct is permissible under the law.
	No public employee shall solicit a contribution from any person while the employee is performing the public employee's official duties.
	No one shall solicit contributions from any public employee while the public employee is performing his or her duties.
	Unclassified employees may not solicit classified state employees for the financial benefit of a political party or a candidate for public office.
	Service in an appointed or elected position is prohibited when such position is subordinate to or in any way a check upon a position concurrently occupied by a classified or unclassified employee, or when it is physically impossible for one person to discharge the duties of both positions, or if some specific constitutional or statutory bar exists prohibiting a person from serving both positions.